

Notice of Allowability

Application No.

10/717,668

Examiner

Sarah E. Husband

Applicant(s)

KIM ET AL.

Art Unit

1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Remarks filed 12/11/2006.
2. ☒ The allowed claim(s) is/are 1-47.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/11/2006 has been entered.

Response to Arguments

Applicant's arguments, see Remarks, filed 12/11/2006, with respect to the 112 rejection have been fully considered and are persuasive. In light of the amendments, the 112 rejection of claims 24 and 31 has been withdrawn.

Applicant's arguments, see Remarks, filed 12/11/2006, with respect to the 102 rejection of claims 1, 5-15, 18-35 and 37 have been fully considered and are persuasive. In light of the amendments, the 102 rejection of these claims has been withdrawn. Lee does not disclose a solid walled plate (claims 1 and 33) or a filter case with a partition wall, rod and plate (claim 15).

Applicant's arguments, see Remarks, filed 12/11/2006, with respect to the 103 rejections have been fully considered and are persuasive. In light of the amendments, the 103 rejection of claims 2-4, 16,17 and 36 has been withdrawn.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joanna K. Mason on 3/7/2007.

The application has been amended as follows:

Specification:

In the specification, page 11, paragraph 56 [0056], line 1, please delete "a shaft 52" and insert - - a rod or shaft 52 - -

Claim 1:

In claim 1, line 4, please delete "on a on an" and insert - - on an - -

Claim 33:

In claim 33, line 8, please delete "the filter comprising a solid walled plate" and insert - - the filter comprising a rod and a solid walled plate - -

In claim 33, line 10, please delete "wherein the filter is configured to gather particles in a central portion thereof in" and insert - - wherein the rod is configured to gather particles thereon in - -

Claim 35:

In claim 35, line 2, please delete "and a shaft which extends" and insert - - wherein the rod extends - -

In claim 35, line 3, please delete "wherein the plate is provided at an end of the shaft"
and insert - - the plate is provided at an end of the rod - -

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance: the prior art (Lee, Wilson (2439535)) does not teach or disclose a filter having a rod with a solid walled plate at the end of the rod in opposition to the passage to prevent a particle from passing through, a filter having two chambers separated by a partition wall, the rod and plate at the end of the rod in the first chamber or a filter having a rod and plate preventing particles from passing and the rod gathering particles.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art not referred to are Wilson (US 2439535), who teaches a rod which catches debris and a movable plate to release debris, but not plate preventing debris from passing through the passageway, Jung (US 6938627), and Reid (US 3466901), who disclose related filters.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sarah E. Husband whose telephone number is (571) 272-8387. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael E. Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SEH

A handwritten signature in black ink, appearing to read 'Michael E. Barr', with a large, sweeping loop at the end.

MICHAEL BARR
SUPERVISORY PATENT EXAMINER